

OFFICIAL COPY

Fresno, California

August 18, 1998

The City Council of the City of Fresno met in joint session with the Redevelopment Agency at the hour of 8:44 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Garry Bredefeld	Councilmember
	Mike Briggs	Vice President
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Ken Steitz	Councilmember
	Chris Mathys	President

Jeff Reid, City Manager
Dan Fitzpatrick, Agency Executive Director
Hilda Cantu Montoy, City Attorney
Rebecca E. Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

APPROVE AGENCY MINUTES OF JULY 28, 1998)

On motion of President Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, the Agency minutes of July 28, 1998, approved as submitted.

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("A") REQUEST FOR UPDATE ON PROPOSED COMMUNITY PARK AND)
IMPROVEMENT PROJECT IN THE SOUTHWEST FRESNO AREA BOUNDED)
BY FLORADORA, WALNUT, CALIFORNIA AND FRUIT AVENUES -)
CHAIR RONQUILLO)

Update report given by Redevelopment Administrator Murphey. Chair Ronquillo stated the funds had been appropriated and urged staff to proceed expediently citing the blighted area and need for attention. No action was taken.

("B") PROPOSED DOWNTOWN HOTEL/NEW EXHIBIT HALL EXPANSION)
PROJECT PROPOSED BY THE OPHELIA FAMILY AND FRESNO HOTEL)
PARTNERS (REQUEST BY AGENCY CHAIR TO CONTINUE TO 8/25/98))
1. CONSIDER REPORT ON TIMELINE AND FEASIBILITY STUDY)
2. CONSIDER REPORT ON COMPETITIVE BIDDING REQUIREMENTS)

Chair Ronquillo withdrew his request to continue the issue as listed.

Jeffrey Boswell, Attorney for the Ophelia Family and Fresno Hotel Partners, gave an overview of the issue, spoke in opposition to a further study, and stressed they wanted to proceed with project immediately.

Economic Development Coordinator Webster reviewed the staff report as submitted and recommended Council approve a study for a complete and comprehensive analysis of the proposed hotel and exhibit hall development.

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The joint bodies took a brief recess at 9:04 a.m. and the City Council convened in regular session.

Fresno County Sheriff Chaplain Doug Lanier gave the invocation.

Fresno Bee Reporter Jim Wasserman led the Pledge of Allegiance to the Flag.

PROCLAMATION OF "SCOTTISH-AMERICAN DAY")

Read and presented.

PRESENTATION OF AWARD CERTIFICATES TO HONOR ROLL STUDENTS)
FROM SAROYAN ELEMENTARY SCHOOL - PRESIDENT MATHYS)

Presented.

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The Council and Agency reconvened in joint session at 9:16 a.m. and consideration resumed on the proposed hotel/exhibit hall expansion projects.

Speaking in support of the project were: Brent Weiner, President, Downtown Association; Bob Jennings, Business Manager and Financial Secretary of Local 246; Anne Speake, President, Chamber of Commerce; Lloyd Kennedy, Executive Director, Fresno Convention and Visitor's Bureau; and Deborah Nankivell, Fresno Business Council.

Margie Cooper, Regional Vice President, Piccadilly and Chateau Inns, spoke in support of the exhibit hall expansion and in opposition to the hotel project stating it was premature and would adversely affect existing hotels.

Councilmember Ronquillo spoke in support of the hotel project emphasizing the City needed to attack the convention industry aggressively and stated now was the time to move forward.

President Mathys stated five key points were made by staff to study, (2 - 0) stressed it was necessary for Council to make informed and sound decisions, and made a motion to approve staff's recommendation for a study, which motion was seconded and acted upon after extensive discussion.

Councilmember Steitz expressed his concerns and presented questions relative to the existence of prior studies referenced by Mr. Boswell, shortfall funding source, market demand, parking issue, and competitive bidding, with Mr. Boswell, Director of Administrative Services Souza, Agency Director Fitzpatrick and City Attorney Montoy responding.

Councilmember Perea concurred with Mr. Boswell stating they did their part as required, and expressed his concern with the issue and questioned why the study was not conducted at the start. Mr. Souza and Mr. Fitzpatrick responded to numerous questions of Vice President Briggs relative to investment by the hotel group and the City, bonding rates, tax increment, and competitive bid.

Ms. Montoy reviewed the competitive bid issue and concluded it, along with prevailing wages, would be required for the project.

Ms. Cooper, Mr. Webster and Mr. Fitzpatrick responded to questions of Councilmember Quintero relative to additional new hotels and number of rooms, benefits to the City with projected project savings due to inner-city fees and redevelopment area project, and fast-tracking the requested study. Brief discussion ensued on the timeline and cost for a fast-track study. **(3 - 0)**

Mr. Kennedy, Councilmember Ronquillo and Mr. Souza responded to questions of Councilmember Bredefeld relative to need for additional rooms in the downtown area, condemnation proceedings on the Ophelia property, and the need for a third-party independent analysis.

Upon question, Mr. Boswell stated a 30 day timeline for the study would not adversely affect the project, urged everyone work in a cooperative fashion, and requested staff start on the competitive bid process this date. Councilmember Bredefeld offered an amendment to the motion for a 30 day timeline on the study and for staff to report back in one week on the cost.

Councilmember Bredefeld expressed his support for "squaring off" the exhibit hall and for the \$31 million dollars of private investment emphasizing a first class, first rate facility was necessary to be competitive.

On motion of President Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, the City Manager's Office authorized to negotiate and execute a professional service agreement for a complete and comprehensive analysis of the proposed hotel and exhibit hall development to be brought back in 30 days; and staff directed to report back in one week on the cost for the study, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Mathys
Noes	:	None
Absent	:	None
Abstain	:	Steitz

Upon question, City Manager Reid responded the Convention Center reserves would be the funding source for the study, and clarified comments made relative to the squaring off proposal and functionality issues, conducting a feasibility study at the start when a proposal had not been received, and insinuations that staff was working with another hotel firm stating they were false.

Councilmember Perea briefly left the meeting at 10:38 a.m.

("C") AWARD CONTRACT FOR DEMOLITION OF 320 E. LORENA)

On motion of Member Mathys, seconded by Member Steitz, duly carried, RESOLVED, a contract to demolish the building at 320 E. Lorena Avenue hereby awarded by the Redevelopment Agency to Nick's Trucking in the amount of \$26,800, by the following vote:

Ayes	:	Bredefeld, Briggs, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	Perea

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The joint bodies adjourned and the City Council reconvened in regular session at the hour of 10:38 a.m.

APPROVE MINUTES OF JULY 28, 1998)

On motion of Councilmember Briggs, seconded by Councilmember Steitz, duly carried, RESOLVED, the minutes of July 28, 1998, approved as submitted.

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APPROVE AGENDA:

(5:30 P.M.) CONTINUED HEARING ON CONSIDERATION OF BILLS)
 RELATING TO ADVERTISED STRUCTURES (BILLBOARDS))
 (REQUEST TO CONTINUE TO 9/22/98, AT 5:30 P.M.))

On motion of Vice President Briggs, seconded by Councilmember Steitz, duly carried, RESOLVED, the above entitled hearing relating to advertised structures (billboards) continued to October 6, 1998, at 5:30 p.m., by the following vote:

Ayes	:	Bredefeld, Briggs, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	Perea

Councilmember Perea returned to the meeting at 10:40 a.m.

(6:30 P.M.) JOINT MEETING WITH THE PLANNING COMMISSION)

To be rescheduled.

(3A) **BILL NO. B-65** - AMENDING THE FRESNO MUNICIPAL CODE)
 PROVIDING FOR A FIVE-YEAR VESTING PERIOD IN THE EMPLOYEES)
 RETIREMENT SYSTEM)
(CONSIDERED AGAIN LATER IN THE MEETING))

At the request of staff, the matter set for 3:00 p.m. this date.

DIRECT STAFF TO PROVIDE UPDATE REPORT AND TIMELINE FOR)
 COMPLETION OF THE BIKEPATH AT 470 E. HERNDON AVENUE -)
 COUNCILMEMBER BREDEFELD)

Direction made.

(10:00 A.M.) DIRECT CITY ATTORNEY TO PREPARE AN ORDINANCE)
 ESTABLISHING STANDARDS FOR THE OPERATION OF UNLICENSED)
 GROUP HOMES CONSISTING OF SIX CLIENTS OR LESS - COUNCIL-)
 MEMBER PEREA)

Removed from the agenda by Councilmember Perea. City Attorney Montoy advised the issue was part of a comprehensive Council direction and she would provide a tray memo on the status and timeline.

(5D) DIRECT STAFF TO ESTABLISH A POLICY REGARDING CREDIT)
 CARD CHARGES WHICH WOULD INCLUDE A LIMIT OF \$10,000 MAXIMUM)
 TRANSACTION - COUNCILMEMBER STEITZ)

Removed from the agenda by Councilmember Steitz.

(5E) BILL FOR INTRODUCTION ADDING TO THE FRESNO MUNICIPAL)
 CODE RELATING TO MANAGEMENT OF REAL PROPERTY - COUNCIL-)
 MEMBER PEREA)

Councilmember Steitz requested the issue be laid over one week stating it was added to the agenda late. Councilmember Perea stated there was no reason to continue the item and brief discussion ensued.

On motion of Councilmember Steitz, seconded by President Mathys, duly carried, RESOLVED, the above entitled issue (**Item 5E**) set for August 25, 1998, at 3:00 p.m., by the following vote:

Ayes	:	Briggs, Quintero, Steitz, Mathys
Noes	:	Bredefeld, Perea, Ronquillo
Absent	:	None

On motion of Councilmember Steitz, seconded by Vice President Briggs, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

132-54

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Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

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ADOPT CONSENT CALENDAR:

(1A-1) APPROVE APPOINTMENTS OF RALPH GOLDBECK, LARRY)
WILEY AND ALICE SAVIEZ TO THE WORKFORCE DEVELOPMENT)
BOARD - MAYOR PATTERSON (FOR ADOPTION))

(1A-2) APPROVE APPOINTMENT OF RUSSELL SMITH TO THE)
WORKFORCE DEVELOPMENT BOARD - PRESIDENT MATHYS (FOR)
ADOPTION))

(1A-3) *RESOLUTION NO. 98-233 - 8TH AMENDMENT TO AAR)
98-159 APPROPRIATING \$322,600 TO REBUDGET VARIOUS)
PROGRAMS IN THE NEIGHBORHOOD IMPROVEMENT PROJECT)
TO COMPLETE PROJECTS THAT HAVE BEEN PREVIOUSLY APPROVED)

(1A-5) *RESOLUTION NO. 98-234 - 353RD AMENDMENT TO MFS)
RES. 80-420 ESTABLISHING FEES FOR PREMIUM FARES FOR)
EXPRESS SERVICE PROVIDED BY FRESNO AREA EXPRESS)

(1A-6) AWARD CONTRACT TO B & R ROOFING COMPANY IN THE)
AMOUNT OF \$88,400 TO REROOF FRESNO MUNICIPAL SERVICE)
CENTER BUILDINGS "A" AND "G")

(1A-7) AWARD A CONTRACT FOR THE BASE BID PLUS ADD-)
ALTERNATE ONE TO DAVE CHRISTIAN CONSTRUCTION IN THE)
AMOUNT OF \$361,176.60 FOR BIKEWAY CONSTRUCTION ON)
WEBER AND BRAWLEY BETWEEN CLINTON AND SHAW AVENUES)

(1A-8) AWARD A CONTRACT TO W.M. LYLES COMPANY IN THE)
AMOUNT OF \$55,320.00 TO BORE AND JACK STEEL CASINGS IN)
N. MARKS AVENUE BETWEEN NEILSEN AND BELMONT AVENUES)

(1A-9) PROPOSED APPOINTMENT OF ROBERT WILSON (COUNCIL-)
MEMBER BREDEFELD) AND LINDA SNYDER (COUNCILMEMBER)

QUINTERO) TO THE APARTMENT VACANCY TASK FORCE (FOR)
INTRODUCTION))

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(1A-12) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH)
ELECTRICAL POWER SYSTEMS, INC. FOR DESIGN OF A 10-MEGAWATT)
ELECTRICAL SUBSTATION AT THE FRESNO/CLOVIS REGIONAL WASTE-)
WATER RECLAMATION FACILITY; AND AUTHORIZE THE PUBLIC WORKS)
DIRECTOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY)

(1A-13) *RESOLUTION NO. 98-235 - 7TH AMENDMENT TO AAR)
98-159 APPROPRIATING \$2,377,000 FOR EXPENSES RELATED TO)
CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 4)
(FINANCING OF IMPACT FEES IN NORTHEAST FRESNO))

(1A-14) RESOLUTION NO. 98-236 - INTENT TO ANNEX FINAL MAP)
OF TRACT NOS. 4844, 4858 AND 4859 AS ANNEXATION NO. 8 TO)
CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 2 AND TO)
AUTHORIZE THE LEVY OF SPECIAL TAXES, AND SETTING THE)
PUBLIC HEARING FOR SEPTEMBER 22, 1998, AT 2:30 P.M.)

(1A-15) APPROVE PROFESSIONAL SERVICES AGREEMENT WITH WISS,)
JANNEY, ELSTNER ASSOCIATES, INC., TO PERFORM STRUCTURAL)
ANALYSIS OF THE CONFERENCE CENTER PARKING GARAGE; AND)
AUTHORIZE THE PUBLIC WORKS DIRECTOR TO SIGN THE AGREEMENT)
ON BEHALF OF THE CITY)

1. *RESOLUTION NO. 98-237 - 9TH AMENDMENT TO AAR 98-159)
APPROPRIATING \$100,000 TO PAY FOR A STRUCTURAL ANALYSIS)
OF THE CONFERENCE CENTER PARKING GARAGE)

(1A-16) APPROVE SUBSTITUTION OF HALOPOFF & SONS FOR FRESNO)
CONCRETE FOR THE CONCRETE PORTION OF THE CONTRACT TO)
RECONSTRUCT OLIVE AVENUE BETWEEN BLACKSTONE AND VAN NESS)
AVENUES)

(1A-17) AUTHORIZE THE DIRECTOR OF PUBLIC UTILITIES TO SIGN)
AN AGREEMENT TO ACCEPT A GRANT OF \$24,999 FROM THE UNITED)
STATES BUREAU OF RECLAMATION FOR WATER CONSERVATION PILOT)
STUDIES)

1. *RESOLUTION NO. 98-238 - 5TH AMENDMENT TO AAR 98-159)
APPROPRIATING \$25,000 IN GRANT FUNDS FROM THE U.S. BUREAU)
OF RECLAMATION FOR WATER CONSERVATION PILOT STUDIES)

(1A-19) AUTHORIZE THE PARKS, RECREATION AND COMMUNITY)
SERVICES DIRECTOR TO EXECUTE AN AGREEMENT FOR SITE)
MANAGEMENT OF THE SENIOR CITIZENS HOT MEALS PROGRAM)
WITH THE FRESNO-MADERA AREA AGENCY ON AGING)

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(1A-21) *RESOLUTION NO. 98-239 - 6TH AMENDMENT TO AAR 98-159)
APPROPRIATING \$2,000 TO WORLD IMPACT TO PROVIDE VANS AND)
TRANSPORTATION TO THE FAMILIES UNITED RETREAT TO CAMP)
JOAQUIN AND FOR EQUIPMENT FOR THE MUSIC PROGRAM FOR KIDS)
IN CRISIS - COUNCILMEMBER RONQUILLO)

On motion of Councilmember Quintero, seconded by Councilmember Bredefeld, duly carried, RESOLVED,
the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

CONSENT CALENDAR - BILLS FOR INTRODUCTION:

(1B-1) *BILL NO. B-67 - AMENDING THE FRESNO MUNICIPAL CODE)
RELATING TO CARD ROOM ORDINANCE TO ALLOW MINORS TO ENTER)
THE PREMISES FOR THE PURPOSE OF DINING, ENTERTAINMENT AND)
SATELLITE WAGERING)

(1B-2) BILLS RELATING TO GENERAL PROVISIONS OF THE FRESNO)
MUNICIPAL CODE (FMC), CODE ENFORCEMENT AND GENERAL APPEALS)

a. WITHDRAW BILL NOS. B-60, B-61, B-62, B-63 AND B-64)
INTRODUCED JULY 28, 1998)

b. BILL NO. B-68 - AMENDING ARTICLE 1, CHAPTER 1 OF THE FMC,)
RELATING TO GENERAL PROVISIONS)

c. BILL NO. B-69 - REPEALING ARTICLE 4 OF CHAPTER 1 OF THE)
FMC RELATING TO GENERAL APPEAL PROCEDURES, AND ADDING)
ARTICLE 4 OF CHAPTER 1 RELATING TO CODE ENFORCEMENT -)
JUDICIAL AND ADMINISTRATIVE REMEDIES)

d. BILL NO. B-70 - ADDING ARTICLE 5 OF CHAPTER 1 OF THE FMC)
RELATING TO GENERAL APPEAL PROCEDURES)

e. BILL NO. B-71 - AMENDING VARIOUS SECTIONS OF THE FMC)
RELATING TO GENERAL APPEALS)

f. BILL NO. B-72 - AMENDING SECTION 1-310(f) OF THE FMC)
RELATING TO DEFINITIONS)

On motion of Councilmember Quintero, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled Bill Nos. B-67, B-68, B-69, B-70, B-71 and B-72 introduced before the Council and laid over, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

132-57

8/18/98

(5I) DIRECT STAFF TO MEET WITH SACRAMENTO PATOMIC)
CONSULTING, INC., TO PROVIDE ASSISTANCE IN NEGOTIATING)
WITH THE BUREAU OF RECLAMATION ON CITY WATER MATTERS -)
COUNCILMEMBER PEREA)

Russ Waymire, former Chair of the Kings County Farm Bureau Water Committee, spoke in opposition to the issue and requested Council recruit lobbyists who would protect valley interests.

Councilmember Perea briefly reviewed the issue and questioned if there was Council interest to move direction. City Manager Reid commented on the issue and stated he felt it was premature to meet with any firms at this time. Vice President Briggs stated he appreciated Councilmember Perea's concern to address the issue and stated he preferred to give staff 2 weeks to see how the issue progresses, whereupon Councilmember Perea pulled the item for two weeks.

(9:30 A.M.) DIRECT STAFF TO DRAFT AN ORDINANCE REQUIRING)
EVERY MALE WHO IS AT LEAST 18 YEARS OLD BUT NOT YET)
ATTAINED THE AGE OF 26 YEARS, SEEKING EMPLOYMENT WITH)
THE CITY OF FRESNO, TO SUBMIT DOCUMENTATION EVIDENCING)
HIS REGISTRATION WITH THE FEDERAL SELECTIVE SERVICE)
SYSTEM - PRESIDENT MATHYS AND VICE PRESIDENT BRIGGS)

President Mathys reviewed the issue stating registering with the selective service system was a law and was important. **(4 - 0)**

Speaking in support of the issue were: Gen. Ron Markarian, 8507 N. Calaveras, who played a short video; Larry Linder, 1555 E. Shaw; William Hansen, 740 E. Saginaw Way; Gordon Pickett, 1388 Birch, Clovis; Wangyee Vang, 1945 N. Fine #102; Cecil Perry, 660 Nees; and Vencil Ward, Sr.

Discussion ensued with Mr. Markarian responding to questions and various Councilmembers expressing their support.

On motion of President Mathys, seconded by Vice President Briggs, duly carried, RESOLVED, staff directed to draft an ordinance requiring every male who is at least 18 years old but not yet attained the age of 26 years,

seeking employment with the City of Fresno, to submit documentation evidencing his registration with the Federal Selective Service System, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

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Councilmember Bredefeld briefly left the meeting at 11:37 a.m. and Councilmember Ronquillo left and returned after the lunch recess.

132-58

8/18/98

(10:30 A.M.) HEARING ON PLAN AMENDMENT NO. A-98-10 AND)
REZONING APPLICATION NO. R-98-13, FILED BY ROBERT CARTER,)
PROPERTY LOCATED ON THE SOUTH SIDE OF E. GETTYSBURG AVENUE)
BETWEEN N. FRESNO AND FREEWAY 41)

President Mathys announced the time had arrived to consider the issue and opened the hearing.

Upon call, no one wished to be heard and President Mathys closed the hearing.

a. **RESOLUTION NO. 98-240** - APPROVING PLAN AMENDMENT NO. A-98-10)
PROPOSING TO AMEND THE SITE IN THE HOOVER COMMUNITY PLAN)
FROM OFFICE COMMERCIAL TO THE NEIGHBORHOOD COMMERCIAL)
PLAN DESIGNATION)
b. **BILL NO. B-73 - ORDINANCE NO. 98-59** - APPROVING REZONING)
APPLICATION NO. R-98-13 TO REZONE THE SITE FROM R-P TO C-1,)
SUBJECT TO THE CONDITION RECOMMENDED BY THE PLANNING)
COMMISSION)

On motion of Councilmember Perea, seconded by Vice President Briggs, duly carried, RESOLVED, the finding of a Mitigated Negative Declaration for Environmental Assessment No. A-98-10, R-98-13 hereby approved; the above entitled Resolution No. 98-240 adopted; and the above entitled Bill No. B-73 adopted as Ordinance No. 98-59, by the following vote:

Ayes	:	Briggs, Perea, Quintero, Steitz, Mathys
Noes	:	None
Absent	:	Bredefeld, Ronquillo

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(11:00 A.M.) *CONSIDER AMENDMENTS TO THE FRESNO CITY)
EMPLOYEES HEALTH AND WELFARE TRUST RELATING TO APPOINT-)
MENTS BY THE CITY AND ARBITRATION PROCEDURES - COUNCIL-)
MEMBER QUINTERO)

City Attorney Montoy reviewed the issue, the proposed amendments, and what the employee organizations were requesting; stated the focus of the issue was the need for arbitration procedures; and noted since this was a policy decision staff was making no recommendations. Councilmember Bredefeld returned to the meeting at 11:42 a.m.

Barry Bennett, Attorney representing the seven employee labor organizations, reviewed the issue and spoke in support of the amendments stating this was an issue of protection and a method to resolve deadlocks. Councilmember Bredefeld briefly left the meeting at 11:46 a.m.

Director of Administrative Services Souza and Ms. Montoy responded to questions of Councilmember Steitz relative to existing process, Council authority over deadlocks, and benefit of binding arbitration. President Mathys briefly left the meeting at 11:48 a.m. and returned along with Councilmember Bredefeld at 11:57 a.m.

132-59

8/18/98

City Manager Reid advised of the problem with the proposal as presently structured and added management had not yet had a chance to give their perspective and explained.

Vice President Briggs recommended additional time and made a motion, seconded by Councilmember Steitz, to lay the matter over three weeks to possibly allow for an analysis from the City Manager's Office. Councilmember Quintero stated the issue of stalemate after stalemate was the problem and why the issue was at this point, and stressed previous direction had been given and Council needed to move forward on the issue. Mr. Bennett concurred stating the matter had been pending for some time and staff had ample opportunity to prevent their perspective.

Councilmember Quintero made a substitute motion to approve the amendments, which was acted upon after brief discussion. Mr. Souza stated if rates increased the City would pay more and added staff was never asked to report back with alternatives. Councilmember Steitz stated to approve the amendments without an analysis was unwise and irresponsible and concurred with the need for a delay. Councilmember Perea offered an amendment to the motion to add a two-year sunset clause.

A substitute motion of Councilmember Quintero, seconded by Councilmember Perea, to approve the amendments to the Fresno City Employees Health and Welfare Trust Agreement with a 2-year sunset clause, became the main motion, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Mathys
Noes	:	Briggs, Steitz
Absent	:	Ronquillo

On motion of Councilmember Quintero, seconded by Councilmember Perea, duly carried, RESOLVED, the amendments to the Fresno City Employees Health and Welfare Trust Agreement relating to appointments by the City and arbitration procedures hereby approved, including a 2-year sunset clause, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Mathys
Noes	:	Briggs, Steitz
Absent	:	Ronquillo

Vice President Briggs clarified his request for a delay was to consider alternatives and find a better solution.

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Troup 2 Eagle Scouts were recognized and welcomed.

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LUNCH RECESS - 12:13 P.M. - 2:11 P.M.

(1A-4) APPROVE AGREEMENT TO PROVIDE TRANSIT SERVICE TO)
VALLEY CHILDREN'S HOSPITAL AND NORTHEAST FRESNO)
a. *BILL NO. B-74 - AMENDING SUBSECTION (t) OF SECTION 2-2801)
OF THE FRESNO MUNICIPAL CODE RELATING TO TRANSIT REGULATIONS)

132-60

8/18/98

Councilmember Ronquillo stated he supported service to Valley Children's Hospital, expressed concern with south Fresno residents getting to the hospital, and questioned the new routes and anticipated ridership levels, with Transit General Manager Rudd responding. Councilmember Quintero requested the matter be delayed to look into alternative routes with brief discussion ensuing. Mr. Rudd emphasized existing routes would not be impacted.

Councilmember Bredefeld commended staff and the City's administration for the proposed route in northeast Fresno adding the northeast and northwest areas had been neglected too long.

Mr. Rudd responded to questions of Vice President Briggs relative to costs for the service stating there would be no cost to the City for the service to Valley Children's.

Rick Steitz, ATU Business Agent, applauded the efforts to provide transportation to the hospital, expressed his concerns with the proposal, and requested the Perrin/Champlain bus service be taken away (6 - 0) stating residents north of Herndon did not utilize the service.

President Mathys stated generally bus service was more relied upon in the inner-city than in the northeast and west areas, and cautioned diluting service routes and transportation in the inner-city. Mr. Steitz proposed an alternate express route from Marketplace to Manchester Center and back and explained.

City Manager Reid stated at issue this date was authorization to provide service to Madera County and that further analysis or dialog on alternate routes could be held in one week. Mr. Rudd advised of the need to come to an agreement emphasizing maps and guides needed to be published and disbursed. Councilmember Bredefeld stated he supported service to the hospital and reiterated his concern with lack of ample bus or police service to northeast residents emphasizing they too provided tax dollars. Vice President Briggs confirmed with staff there would be no cost to the City.

Councilmember Ronquillo made a motion to approve the agreement with Valley Children's Hospital, introduce the proposed bill, and have further discussions on service for central and southern residents, which motion was acted upon after additional discussion.

Councilmember Perea commended staff, expressed his concern that Valley Children's left Fresno and now

wanted bus service, questioned why the ordinance was being designated an emergency ordinance, expressed his concern with the termination clause of the agreement and questioned if it could be eliminated, and stated from a philosophical public policy standpoint he could not support the agreement due to Valley Children's abandoning the community. Mr. Rudd and Ms. Montoy responded to questions. Brief discussion ensued on how routes were determined and termination provisions.

A substitute motion of Vice President Briggs, seconded by Councilmember Bredefeld, to adopt staff's recommendation became the main motion, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Steitz
Noes	:	Quintero, Ronquillo, Mathys
Absent	:	None

132-61

8/18/98

A motion of Vice President Briggs, seconded by Councilmember Bredefeld, to authorize the Transit General Manager to execute an agreement with Valley Children's Hospital to provide hourly "express" service to the new regional hospital located in Madera County beginning September 1, 1998, as well as introduce an emergency ordinance amending the Fresno Municipal Code failed, due to the requirement for five affirmative votes for the emergency ordinance, by the following vote:

Ayes	:	Bredefeld, Briggs, Quintero, Steitz
Noes	:	Perea, Ronquillo, Mathys
Absent	:	None

A motion of Councilmember Ronquillo, seconded by President Mathys, to approve the agreement with Valley Children's Hospital to provide hourly "express" service to the new regional hospital located in Madera County beginning September 1, 1998; introduce an emergency ordinance amending the Fresno Municipal Code; and directing staff to meet with ATU officials to determine an alternate route and report back in one week failed, due to the requirement for five affirmative votes for the emergency ordinance, by the following vote:

Ayes	:	Quintero, Ronquillo, Steitz, Mathys
Noes	:	Bredefeld, Briggs, Perea
Absent	:	None

Brief discussion ensued on introducing the ordinance as a non-emergency ordinance with four votes with Ms. Montoy responding to questions. Vice President Briggs made a motion to table the issue until after closed session.

A motion of Vice President Briggs, seconded by Councilmember Bredefeld, to authorize the Transit General Manager to execute an agreement with Valley Children's Hospital to provide hourly "express" service to the new regional hospital located in Madera County beginning September 1, 1998, as well as introduce an emergency ordinance amending the Fresno Municipal Code failed, due to the requirement for five affirmative votes for the emergency ordinance, by the following vote:

Ayes	:	Bredefeld, Briggs, Steitz
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Noes : Perea, Quintero, Ronquillo, Mathys
Absent : None

On motion of Councilmember Bredefeld, seconded by President Mathys, duly carried, RESOLVED, reconsideration of the prior Ronquillo/Mathys motion hereby approved, by the following vote:

Ayes : Bredefeld, Briggs, Quintero, Ronquillo, Steitz, Mathys
Noes : Perea
Absent : None

Upon question, President Mathys stated Council would have to make a final decision on the route if staff and ATU were unable to reach an agreement.

132-62

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On motion of Councilmember Ronquillo, seconded by President Mathys, duly carried, RESOLVED, the agreement with Valley Children's Hospital to provide hourly "express" service to the new regional hospital located in Madera County beginning September 1, 1998 hereby approved; the above entitled Bill No. B-74 introduced as an emergency ordinance and laid over; and staff directed to meet with ATU officials to determine an alternate route and report back in one week, by the following vote:

Ayes : Bredefeld, Briggs, Ronquillo, Steitz, Mathys
Noes : Perea, Quintero
Absent : None

- - - -

(1A-10) APPROVE AMENDMENT NO. 1 WITH THE BANK OF AMERICA)
FOR AUTOMATED TELLER MACHINE (ATM) AT THE FRESNO YOSEMITE)
INTERNATIONAL (FYI) AIRPORT)

Airports Operations Manager Mooradian and City Manager Reid responded to questions of Councilmember Ronquillo relative to ownership, operation, and user fees for the machines, and questioned his previous request to have a similar machine installed at Selland Arena adding he would bring the matter back for consideration.

On motion of Councilmember Ronquillo, seconded by President Mathys, duly carried, RESOLVED, the Director of Transportation authorized to execute the subject Amendment on behalf of the City, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

- - - -

(1A-11) APPROVE AGREEMENT TO PROVIDE FIRE PROTECTION SERVICES)
TO VALLEY CHILDRENS HOSPITAL)

Councilmember Ronquillo expressed his opposition stating the developer offered free land to the hospital and should be responsible for the fire service and added Madera County would also benefit. Fire Chief Smith responded to questions of Councilmember Steitz relative to the proposed service jeopardizing any service in the city, responsibility to respond, and Maderas' fire service and equipment.

A motion to approve staff's recommendation was subsequently amended and acted upon after lengthy discussion.

Councilmember Bredefeld stated this issue was different from the bus service issue and expressed his opposition stating the developer, Madera County and Valley Children's should be providing the service.

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Chief Smith responded to questions of Councilmember Perea relating to the city's equipment that would be utilized, current level of city service, voluntarily assisting Madera without approval of an agreement, response time to Madera, (7 - 0) service fees and costs, personnel, and the City as the 2nd responder.

Councilmember Perea expressed his strong concern with providing service across the river stressing Madera County should be responsible, stated this was totally unacceptable, and citing the proposed 2-year agreement offered a substitute motion to provide fire service for 90 days and petition Madera County, Valley Children's and the developer to provide fully staffed operational fire service, which motion was later seconded and acted upon.

President Mathys stated Council needed to be pragmatic as Valley Children's decision to leave Fresno was made prior to this Council, stressed the hospital was ready to open and fire service was not yet available, and urged Council to protect the hospital and move forward with the agreement.

Chief Smith responded to questions of Vice President Briggs relative to cost for service calls and personnel, mutual aid agreements, city equipment (number of aerial ladder trucks), and number of calls for service to the hospital in 1997. Vice President Briggs stressed he needed to be convinced there would be no cost to Fresno taxpayers to provide service to another county.

City Manager Reid clarified provisions of the agreement relative to length and termination, updating and revising rates, and provision for reimbursement. Chief Smith responded briefly to questions of Councilmember Quintero relative to the current labor agreement with the Firefighters union, 2-year "temporary" agreement, and incentives for Madera to provide fire service sooner.

President Mathys offered an amendment to the original motion to approve the agreement for one year instead of two, which was accepted.

Councilmember Bredefeld offered a second to the substitute whereupon the following action was taken:

A motion of Councilmember Perea, seconded by Councilmember Bredefeld, to approve the agreement with Madera County to provide fire protection service for 90 days and direct staff to petition Madera County, Valley

Children's Hospital and the developer to provide fully staffed operational fire service failed to become the main motion, by the following vote:

Ayes : Bredefeld, Perea, Ronquillo
Noes : Briggs, Quintero, Steitz, Mathys
Absent : None

On motion of Councilmember Steitz, seconded by President Mathys, duly carried, RESOLVED, the agreement with Madera County to provide supplementary fire protection service hereby approved, **as amended** for one year, and the Fire Chief authorized to sign the agreement on behalf of the City of Fresno, by the following vote:

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Ayes : Briggs, Quintero, Steitz, Mathys
Noes : Bredefeld Perea, Ronquillo
Absent : None

- - - -

Councilmember Bredefeld briefly left the meeting at 3:51 p.m.

(1A-18) AUTHORIZE THE TERMINATION OF THE LEASE AND AGREEMENT)
FOR THE PROVISION OF GOLF COURSE OPERATIONS AT PALM LAKES)
MUNICIPAL GOLF COURSE)

Parks and Recreation Director Primavera responded to questions of Councilmembers Ronquillo and Perea relative to reasons for the termination, abundance of golf courses and alternate uses such as parks.

On motion of Councilmember Steitz, seconded by President Mathys, duly carried, RESOLVED, termination of the Lease and Agreement for the Provision of Golf Course Operations at Palm Lakes Municipal Golf Course with James B. Moore, Inc. in accordance with the terms of the Lease and Agreement hereby authorized, and staff directed to determine the feasibility of the continued operation of the golf course by the City by issuing a Request for Proposal for the provision of golf services to all interested parties, by the following vote:

Ayes : Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : Bredefeld

- - - -

(5A) CONSIDER ADDITIONS TO COUNCIL RULES AND PROTOCOL)
RELATING TO RULE #16 (g) - VICE PRESIDENT BRIGGS)

(5B) RESOLUTION - ESTABLISHING THE CITY OF FRESNO AS)
A "CITY OF CHARACTER" WITH THE INTERNATIONAL ASSOCIATION)

OF CHARACTER CITIES - COUNCILMEMBER STEITZ)

(5C) DIRECT STAFF TO CONDUCT A FEASIBILITY STUDY TO)
INSTALL A STOP SIGN AT THE INTERSECTION OF NORTHRIDGE)
AND ARTHUR AVENUES)

(5F) RESOLUTION - SETTING FORTH PERMISSIBLE GAMES WHICH)
MAY BE PLAYED IN CARD ROOMS UNDER THE CITY OF FRESNO)
CARD ROOM ORDINANCE - COUNCILMEMBER BREDEFELD)

(5H) RECEIVE REPORT FROM THE CITY CONTROLLER RELATING)
TO THE CITY'S RECENT BOND RATING REDUCTION BY STANDARD)
AND POOR - COUNCILMEMBER PEREA)

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(5L) DIRECT STAFF TO PROVIDE STATUS REPORT RELATING TO)
"O" STREET CLOSURE - COUNCILMEMBER RONQUILLO)

The above items, 5A, 5B, 5C, 5F, 5H and 5L, laid over one week.

- - - -

(1A-22) APPROVE AGREEMENT FOR THE SALE, REMOVAL AND)
MAINTENANCE OF THE FORT MILLER BLOCKHOUSE)

Councilmember Steitz emphasized, requested assurance, and directed the historic integrity of the blockhouse be maintained for the duration of the agreement, and if any abuses were to occur by future generations that the City be able to purchase the structure back. Councilmember Bredefeld returned to the meeting at 3:5 p.m.

Bob Panel, Tribal Culture Resource Manager, Table Mountain Rancheria, advised the plans for the blockhouse entailed no changes to the main structure of the building and added they had invested much time and money. Councilmember Steitz reiterated his concerns and explained.

A motion to approve staff's recommendation was acted upon after brief discussion. Vice President Briggs stated the Historical Society had convinced him the agreement was in the best interest of the structure. Tribal Attorney Ben Ewell commented (8 - 0) on terms of the agreement relative to termination rights. Councilmember Ronquillo stated his support for the agreement.

On motion of Councilmember Ronquillo, seconded by Councilmember Steitz, duly carried, RESOLVED, the agreement by and between the City of Fresno and Table Mountain Rancheria for the sale, removal and maintenance of the Fort Miller Blockhouse hereby approved, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz
Noes : Mathys

Absent : None

- - - -

(5K) DIRECT STAFF TO PREPARE ALL NECESSARY DOCUMENTS TO)
EXPAND THE ENTERPRISE ZONE BY THREE (3) ACRES FOR THE)
PROPOSED LA TAPITIA RELOCATION AT 2788 N. LARKIN CONTINGENT)
UPON ESCROW CLOSING ON THE SALE OF THAT LAND TO LA TAPITIA)
AND THE COMPLETION OF THEIR TRANSACTION - COUNCILMEMBER)
STEITZ)

Councilmember Steitz extended congratulations to La Tapitia on their expansion possibilities and briefly reviewed the issue.

Helen Chavez Hansen, owner, stated they were looking forward to the relocation.

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On motion of Councilmember Steitz, seconded by Councilmember Ronquillo, duly carried, RESOLVED, staff directed to prepare all necessary documents to expand the Enterprise Zone by three (3) acres for the proposed La Tapitia relocation at 2788 N. Larkin contingent upon escrow closing on the sale of that land to La Tapitia and the completion of their transaction, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

- - - -

(1A-20) RATIFICATION OF RESPONSES TO THE 1997-98 GRAND)
JURY REPORT)

Councilmember Ronquillo stated the Grand Jury made good recommendations and referenced some, and stated his opposition to Recommendation No. 21 relative to placing the Redevelopment Agency under the responsibility of the CAO and elaborated, and made a motion to modify the response that the City of Fresno **disagreed** with their recommendation, which was acted upon after additional discussion.

City Manager Reid gave a brief overview the issue, stated staff's goal was to agree with the recommendations whenever possible, and clarified the response process.

President Mathys concurred with Councilmember Ronquillo stating it was premature to implement the recommendation and seconded the motion.

Speaking to the issue and in support of the motion were: Joni Johnson, Fresno Neighborhood Alliance, P.O. Box 5956; and Myser Keels, 1060 Jones Street.

Councilmembers Perea and Steitz requested the reponse to Recommendation No. 27 relative to the

Shaw/Marks intersection be amended to say Council **rejected** the Grand Jury's recommendation due to the outrageous cost and that the action **reflected** Council's belief that the solution to the safety hazards was the completion of the pending grade separation project, with brief discussion ensuing. Councilmember Bredefeld expressed his concern with the reasons given in the response to Recommendation No. 14, water meters, for its defeat by Council on 7/28/98, with Mr. Reid and Councilmember Steitz responding.

Councilmember Steitz directed staff schedule the water meter issue on the agenda in the first week of May, 1999, for placement on the March 2000 election.

On motion Councilmember Ronquillo, seconded by President Mathys, duly carried, RESOLVED, responses to the Grand Jury Report/Recommendations hereby ratified, **as amended**, modifying Response Nos. 21 and 27, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Mathys
Noes	:	Steitz
Absent	:	None

- - - -

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(3A) *BILL NO. B-65 - ORDINANCE NO. 98-60 - AMENDING THE)
FRESNO MUNICIPAL CODE PROVIDING FOR A FIVE-YEAR VESTING)
PERIOD IN THE EMPLOYEES RETIREMENT SYSTEM)

On motion of Councilmember Quintero, seconded by President Mathys, duly carried, RESOLVED, the above entitled Bill No. B-65 adopted as Ordinance No. 98-60, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

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(6A) *RESOLUTION NO. 98-241 - APPLYING TO THE LOCAL AGENCY)
FORMATION COMMISSION (LAFCO) IN THE MATTER OF THE PROPOSED)
TEAGUE-CHESTNUT NO. 4 REORGANIZATION)

On motion of Councilmember Bredefeld, seconded by President Mathys, duly carried, RESOLVED, the Negative Declaration issued on May 29, 1998, finding that there is no substantial evidence that the annexation may have a significant adverse effect on the environment hereby adopted; and the above entitled Resolution No. 98-241 adopted, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

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(5J) DIRECT CITY ATTORNEY TO PREPARE AN ORDINANCE REQUIRING)
TOW SERVICES UTILIZED BY THE CITY OF FRESNO TO BE IN)
COMPLIANCE WITH STANDARDS SET BY THE CALIFORNIA HIGHWAY)
PATROL ORDINANCE. ORDINANCE TO BE RETURNED TO COUNCIL)
WITHIN 45 DAYS - COUNCILMEMBER PEREA)

Briefly reviewed by Councilmember Perea who requested staff use the CHP ordinance as a template to draft a local ordinance that would provide safe and efficient service to the people of Fresno.

Kevin McCracken, Bulldog Towing, representing various companies in the tow industry, concurred the CHP ordinance was a good guideline; stated the industry would work with the Police Department to develop an ordinance; and commented on the prior police ordinance relative to Police Chief authority over companies on the rotation list and placing a cap on the number of companies adding the industry was in support of a cap.

Councilmember Perea questioned the legality of placing a freeze on adding additional companies to the tow list pending the outcome of this issue with Ms. Montoy responding. Brief discussion ensued and it was determined to bring back the prior ordinance in one week.

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On motion of Councilmember Perea, seconded by Vice President Briggs, duly carried, RESOLVED, the City Attorney directed to prepare and report back with an ordinance in 45 days requiring tow services utilized by the City of Fresno to be in compliance with standards set by the California Highway Patrol; and staff directed to report back in one week with the prior police ordinance relative to Police Chief authority and placing a cap of the number of tow companies on the rotation list, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Ronquillo
Noes : Quintero, Steitz, Mathys
Absent : None

- - - -

(5G) RESOLUTION NO. 98-242 - AUTHORIZING AND DIRECTING STAFF)
TO APPLY TO THE STATE OF CALIFORNIA (CALTRANS) FOR A PERMIT)
TO USE A PORTION OF HIGHWAY 180, AND TO EXECUTE RELATED)
INDEMNITY AND OTHER AGREEMENTS, ALL RELATING TO THE BIG)
FRESNO FAIR PARADE - COUNCILMEMBER QUINTERO)

Briefly reviewed by Councilmember Quintero.

ON motion of Councilmember Quintero, seconded by President Mathys, duly carried, RESOLVED, the above entitled Resolution No. 98-242 hereby adopted, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys

Noes : None
Absent : None

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UNSCHEDULED ORAL COMMUNICATIONS

APPEARANCE BY PAULETTE RAGLAN, CLUB ONE, RELATIVE TO ACTION)
ON **ITEM 5F** SCHEDULED THIS DATE)

Upon question, President Mathys advised the issue had been laid over one week.

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CLOSED SESSION:

(A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAMES:)
1. COUNTY V. CITY V. COUNTY (PARKING FINES CASE), SUP. CT.)
#502123-3, CA #5-5872)
2. CITY V. COUNTY V. CITY (AB 1290), SUP. CT. #545900; CA#16-7213)

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3. COUNTY V. CITY V. COUNTY (CSA 48), SUP. CT. #560663-7; CA#16-7283)
4. COUNTY V. CITY (ROEDING PARK II), SUP. CT. #571200-5; CA#16-7328)
5. COUNTY V. CITY (ROEDING PARK III), SUP. CT. #573647-5; CA#4-7341)

The Council met in closed session in Room 2125 at the hour of 4:39 p.m. to consider the above issues and reconvened in regular session at 5:11 p.m. Vice President Briggs was absent for the remainder of the meeting.

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(5:00 P.M.) HEARING TO REVIEW THE PLANNING COMMISSION'S ACTION)
ON CONDITIONAL USE PERMIT (CUP) NO. C-98-077, RELATING TO A)
PROPOSAL TO CONVERT A MOTEL INTO A 15-BED RESIDENTIAL SUPPORT)
FACILITY, FRESNO RE-ENTRY CENTER, INC., PROPERTY LOCATED AT)
2325 S. "G" STREET (NORTHEAST CORNER OF S. "G" STREET AND S.)
SARAH STREET EAST OF S. GOLDEN STATE BOULEVARD AND NORTH OF)
CHURCH AVENUE)

President Mathys announced the time had arrived to consider the issue and opened the hearing.

Planner Brock reviewed the staff report as submitted and responded to questions relative to distance between the proposed project and residential homes.

George Aguilar, representing Fresno Re-Entry Center, Inc., introduced key persons in attendance involved in the project, gave an overview of the proposed project, and addressed concerns expressed by neighboring residents and property owners. (9 - 0)

Speaking in opposition to the proposal were: Ken Lust, property owner of 2376 S. Railroad; Michaelynn Lewis, 2579 S. Lotus; Bev Shumake, 2395 S. "G" Street; Barbara Dilldine, property owner of 2244-2256 S. Railroad and 2265-2289 S. "G" Street, who played a video of the surrounding area; and LaVelle Barnes, 45 "L" Street.

Upon call, no one else wished to be heard and President Mathys closed the public testimony portion of the hearing.

Councilmember Ronquillo commented on the issue and made a motion to deny the CUP, which was seconded and acted upon after additional discussion. City Attorney Montoy clarified this was a CUP hearing and findings had to be made to deny the CUP, whereupon the findings were made that the project would be detrimental to the area and there was an over concentration of these types of facilities in the area.

Police Capt. Enmark, Ms. Montoy, Ms. Brock and Mr. Aguilar responded to questions of Councilmembers Bredefeld and Perea relative to the proposed facility being unsecured, the Police Department's reason for opposing the project, crime statistics in the area, legality of these types of facilities to operate, and plans for expansion of the facility.

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Councilmember Ronquillo added the clients being able to leave the facility on their own free will as an additional finding for denial.

Brief discussion ensued with Ms. Brock and Capt. Enmark responding to questions of Councilmember Steitz relative to current use of the facility, crime, calls for service, and location of other similar facilities.

Development Director Solis clarified if the project were to be approved and there was a future request for expansion, the request would not automatically be brought back to Council unless Council made it a condition of the CUP.

A motion of Councilmember Ronquillo, seconded by Councilmember Bredefeld, to deny Conditional Use Permit Application No. C-98-077 based on findings made failed, by the following vote:

Ayes	:	Bredefeld, Ronquillo
Noes	:	Perea, Quintero, Steitz, Mathys
Absent	:	Briggs

Councilmember Steitz left the meeting at 6:06 p.m. Upon question, City Attorney Montoy responded with the motion failing, the Planning Commission's action approving the CUP stood.

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, a

cap of 15 beds approved, and a provision requiring Council consideration of any future expansion request hereby made a condition of the CUP, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo, Mathys
Noes	:	None
Absent	:	Briggs, Steitz

ADJOURNMENT

)

There being no further business to bring before the Council, the hour of 6:07 p.m. having arrived and hearing no objections, President Mathys declared the meeting adjourned.

DATED this _____ day of _____, 1998.

_____ Chris Mathys, President	ATTEST: _____ Yolanda Salazar, Assistant City Clerk
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